

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
E/S East Homberg Avenue, 240' E	
of the c/l of George Avenue	* DEPUTY ZONING COMMISSIONER
(1209 East Homberg Avenue)	
15th Election District	* OF BALTIMORE COUNTY
7th Councilmanic District	
	* Case No. 97-97-A
William D. Miles, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1209 East Homberg Avenue, located in the vicinity of Maryland State Route 702 in Essex. The Petition was filed by the owners of the property, William D. Miles, Jr., and his wife, Grace L. Miles. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, the relief requested sufficiently complies with the requirements of Sections 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). There is no evidence in the record that the subject variance would adversely affect the public

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 Date 9/24/96
 By [Signature]

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health, safety, or general welfare. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

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11/21/66
Rj

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of September, 1996 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated September 12, 1996, a copy of which is attached hereto and made a part hereof.

ORDER OF FILING
Date 9/24/96
By [Signature]

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date 9/24/96
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

September 24, 1996

Mr. & Mrs. William D. Miles, Jr.
1209 East Homberg Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S East Homberg Avenue, 240' E of the c/l of George Avenue
(1209 East Homberg Avenue)
15th Election District - 7th Councilmanic District
William D. Miles, Jr., et ux - Petitioners
Case No. 97-97-A

Dear Mr. & Mrs. Miles:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File

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Petition for Administrative Variance

97-97-A

to the Zoning Commissioner of Baltimore County

for the property located at 1209 East Homberg Avenue
which is presently zoned DRS.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to allow an

accessory structure to be located in the side yard
in lieu of the rear yard

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) ① More practical to build on existing asphalt driveway beside house so as not to cover more ground with impervious materials. ② Site is within LDA in the Chesapeake Bay Critical Area As such a maximum impervious surface limit of 25% of lot area is required. Situating the proposed garage on existing asphalt will enable us to adhere to CBCA/LDA requirements. ③ Proposed garage on existing asphalt will be easier access from the house because of Mr. Miles's heart condition. ④ To place garage on land behind house will result in moving of existing fence. Then the steps will be in front of the fence thus affect the safety of children and pets. ⑤ To place garage on land behind the house will require the moving of a shed.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Mr. William D. Miles Jr.
(Type or Print Name)

William D. Miles Jr.
Signature

Ms. Grace L. Miles
(Type or Print Name)

Ms. Grace L. Miles
Signature

1209 East Homberg Avenue 410687-5511
Address Phone No

Baltimore Maryland 21221
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

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REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink
on Recycled Paper

ITEM #: 101

ORDER RECEIVED FOR FILING

Date

By



Affidavit in support of 97-97-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1209 East Homberg Avenue
address
Baltimore Maryland 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

① More practical to build on existing asphalt driveway beside house so as not to cover more ground with impervious materials ② Site is within LDA in the Chesapeake Bay Critical Area. As such, a maximum impervious surface limit of 25% of lot area is required. Situating the proposed garage on existing asphalt will enable us to adhere to CBA/LDA requirements ③ Proposed garage on existing asphalt will be easier access from the house because of Mr. Miles's heart condition ④ To place garage on land behind house will result in moving of existing fence. Then the steps will be in front of the fence that affect the safety of children and pets ⑤ To place garage on the land behind the house will require the moving of a shed.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William D Miles Jr
(signature)
Mr. William D. Miles Jr.
(type or print name)



Grace L Miles
(signature)
Mrs. Grace L. Miles
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of August, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William D Miles Jr & Grace L Miles

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8-29-96
date

Shirley D Fuller
NOTARY PUBLIC

Shirley D. Fuller, Notary Public
Baltimore County
State of Maryland
My Commission Expires Oct. 1, 1999

My Commission Expires: 10-1-99

ZONING DESCRIPTION FOR : 1209 East Homberg Avenue

97-97-A

Beginning at a point on the south side of East Homberg Avenue which is forty-~~one~~ feet wide at the distance of ^{Approximately 240' East} ~~fifty-nine feet~~ south of the centerline of East Homberg Avenue ^{George} which is the nearest improved intersecting street being forty-~~one~~ feet wide.

Situated on a 12,750 square feet lot is a 912 square feet dwelling as recorded in Baltimore County Plat Book # 06, Folio # 124. containing 0.29 acres of property.

Also known as 1209 East Homberg Avenue and located in the 15th Election District, 7th Councilmanic District.

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97-97-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 9-6-96

Posted for: _____

Petitioner: _____

Location of property: 1209 East Homburg Ave

Location of Sign: Front Yard

Remarks: _____

Posted by Mark G. Gavel Date of return: _____
Signature

Number of Signs: _____

CASE NUMBER: 97-97-A (Item 101)
1209 East Homburg Avenue
E/S East Homburg Avenue, approximately 240' E c/I George Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): William D. Miles, Jr. and Grace L. Miles
8

FILED
Post by
9-10-96

Administrative Variance to allow an accessory structure to be located
in the side yard in lieu of the rear yard.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-97-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 101 Petitioner: William D & Grace L. Miles
Location: 1209 East Homberg Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: William & Grace Miles
ADDRESS: 1209 East Homberg Avenue
Baltimore Maryland 21221

PHONE NUMBER: 410 687 5511

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Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1" = 200' scale map #: _____

Zoning: _____

Lot size: _____
acreage square feet

public private
SEWER: ☐ ☐
WATER: ☐ ☐

Chesapeake Bay Critical Area:
yes no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-97-A (Item 101)
1209 East Homberg Avenue
E/S East Homberg Avenue, approximately 240' E c/l George Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): William D. Miles, Jr. and Grace L. Miles

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 8, 1996. The closing date (September 23, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: William D. Miles, Jr. and Grace L. Miles





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Mr. and Mrs. William Miles, Jr.
1209 East Homberg Avenue
Baltimore, MD 21221

RE: Item No.: 101
Case No.: 97-97-A
Petitioner: William Miles, et ux

Dear Mr. and Mrs. Miles:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-10-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 101 (CAM)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

J. Alexander

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: September 19, 1996

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 16, 1996
 Item Nos. 094, 096, 097, 098, & 101

 The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE26

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100,
101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

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BALTIMORE COUNTY PERSONNEL
RULES AND REGULATIONS
RULE 24 OTHER LEAVES

REGULATION 24.03
(Continued)

- F. A physician who regularly examines employees as an official physician for the Baltimore County employees' retirement system shall determine the physical ability of the employee to continue working or to return to work. (Bill No. 17, 1990)

REGULATION 24.04

Subject to the express provisions of memoranda of understanding in effect at the time between Classified Service employees and the Administration, "40 Hours" employees shall be granted 48 personal leave hours off with pay, per calendar year. "Other than 40 Hours" employees, except as provided for school nurses (10 months) under Regulation 24.05, shall be granted 42 personal leave hours off with pay, per calendar year. Employees shall earn personal leave at the rates of four hours and three and one-half hours per month, respectively. Personal leave may not be accrued and carried over into a new calendar year. Employees shall be paid for personal leave days earned but not taken at the time they leave County service. (Bill No. 95, 1980)

REGULATION 24.05

Subject to the express provisions of the memorandum of understanding in effect at the time between Classified Service employees and the Administration, all School Nurses (10 months) shall be granted thirty one and one-half personal leave hours off with pay per calendar year. All such employees shall earn personal leave at the rate of three and one-half hours per month. Personal leave may not be accrued and carried over into a new calendar year. Employees shall be paid for personal leave hours earned but not taken at the time they leave County service. (Bill No. 193, 1980)

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 11, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 91, 94, 95, 96, 97, and 101

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

PK/JL

August	1996	S	M	T	W	T	F	S	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
September	1996	S	M	T	W	T	F	S	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
October	1996	S	M	T	W	T	F	S	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

Monday 09/16/96 4:30p 5:30p E Bobby and Maria

Tuesday 09/17/96 8:30a 10:00a E BREAFAST W/BOB BARRETT
HILTON

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Robert A. Wirth *RAW/gp*
DEPRM

SUBJECT: Zoning Item #101 - Miles Property
1209 E. Homberg Avenue
Zoning Advisory Committee Meeting of September 9, 1996

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

September 12, 1996

FROM: Robert A. Wirth *RAW/gp*
DEPRM

SUBJECT: Zoning Item #101 - Miles Property
1209 E. Homberg Avenue
Zoning Advisory Committee Meeting of September 9, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:KK:sp
MILES/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING

Date 9/24/96

By [Signature]

97-97-A

DATE 08/22/96 STANDARD ASSESSMENT INQUIRY (1)
 TIME 15:09:37
 PROPERTY NO. DIST. GROUP CLASS OCC. HISTORIC
 15 11 54430 15 3 3 04 00 H NO
 BUILT: 000000000000
 BUILT: 000000000000
 1200 000000000000
 PREBISL 01202 HOMBERG
 000000 000000

PRELIMINARY NO 21231 0000 FORMER OWNER
 - - - - - FLY - - - - - PHASED IN - - - - -
 PRIOR PROPOSED CURR CURR PRIOR
 LAND 29,070 28,430 FCV ASSESS ASSESS
 IMPV 55,140 49,540 TOTAL 77,970 31,180 31,180
 TOTL 84,210 77,970 PREL 0 0 0
 PREL 0 0 CURR 77,970 31,180 31,180
 CURR 84,210 77,970 LEMPI 0 0
 DATE 08/22 11/93
 - - - - - 100000000000 - - - - -
 96/22 ASSESS 31,180 08/22/95
 95/95 ASSESS 31,180 08/22/95
 94/94 ASSESS 31,180 08/22/94
 ENTER INQUIRY PAY-STATE PAY-MENU PAY-QUIT PAY-CHOOSE KEY

DATE 08/22/96 STANDARD ASSESSMENT INQUIRY (2)
 TIME 15:09:37
 PROPERTY NO DIST. GROUP CLASS OCC. HISTORIC
 15 11 54430 15 3 3 04 00 H NO
 LOT BOOK 0004 IMP 0097 LOT 000000000000 35,000
 BLOCK LOT 00 0124 GRID 0004 LOT 000000000000 35,000
 SECTION PARCEL 0074 LAND 000000000000 35,000
 PLAT YEAR BUILT 000000000000
 - - - - - TRANSFER 0000 - - - - - ENTER 0000 - - - - -
 NUMBER 000000000000 STATUS 000000000000
 DATE 000000000000 CLASS CODE 000000000000
 PURCHASE PRICE 0 STATE EXEMPT CODE 000000000000
 GROUP KEY 0 COUNTY EXEMPT CODE 000000000000
 DEED REF LIBR 04789 CURR STATE EX ASSE 000000000000
 DEED REF TOTL 0584 PRIOR STATE EX ASSE 000000000000
 CONVEYED IND 0 CURR COUNTY EX ASSE 000000000000
 TOT PART PART IND 0 PRIOR COUNTY EX ASSE 000000000000
 GRANTOR ACCT NO 00 00 000000
 CHUCLAL NEW CGCT CARD
 AREA 1001 FAR NO
 10738
 - - - - - STRUCTURE - - - - -
 CODE 00 00 00
 237
 ENTER INQUIRY PAY-STATE PAY-INQUIRY PAY-MENU PAY-QUIT PAY-CHOOSE KEY

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1209 East Homberg Avenue see pages 5 & 6 of the CHECKLIST for additional required information

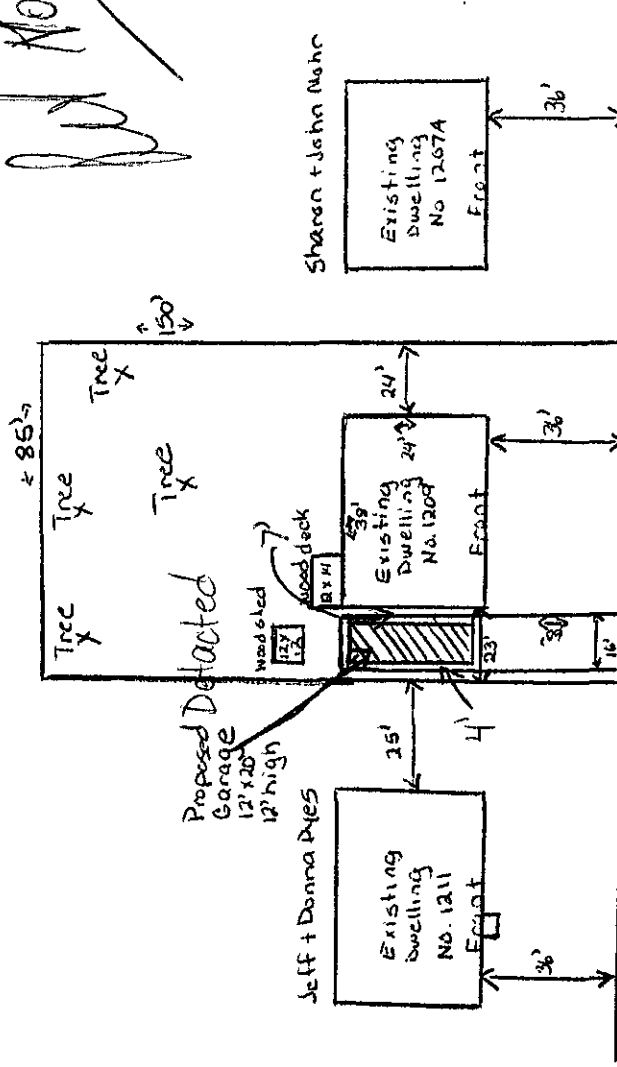
Subdivision name: _____

plat book# 06, folio# 124, lot# _____, section# _____

OWNER: William D. + Grace L. Miles

97-97-A

Ed No 1



Sharon + John Mohr

Existing Dwelling No. 1207A

Existing Dwelling No. 1209

Existing Dwelling No. 1211

East Homberg Avenue (46' R/W 40' Paving)

P.O.B. ≈ 240 E of George Ave

RECORDED

Not a Flood Plain

Scale of Drawing: 1" = 50'



North

date: 8/17/96

prepared by: C Miles

LOCATION INFORMATION

Election District: **15**

Councilmanic District: **7**

1"=200' scale map#: **NE 2 H**

Zoning:

Lot size: 0.29 acreage 12,750 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☒ yes ☐ no

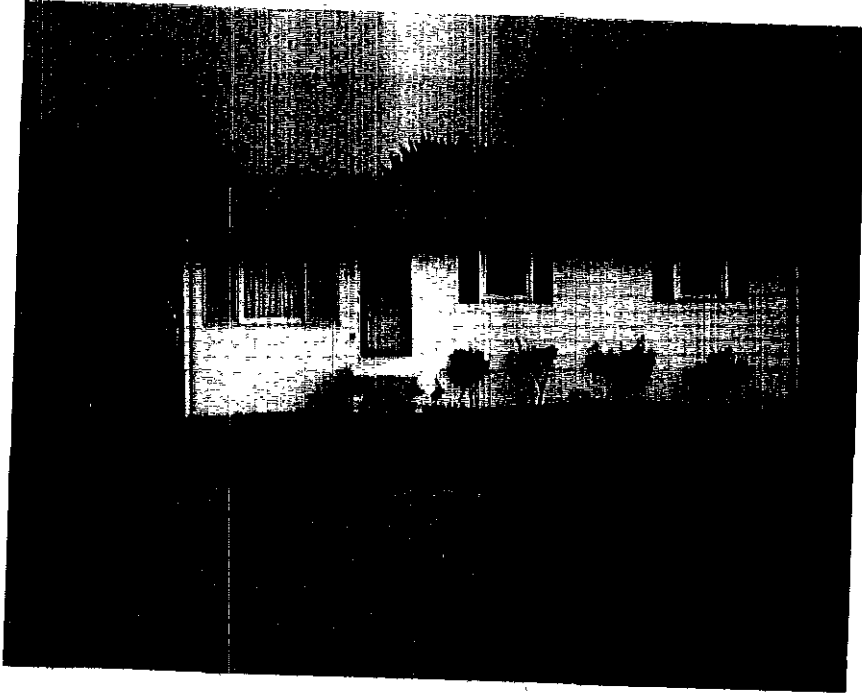
Prior Zoning Hearings: **None known**

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

101

97-92-A



MICROFILMED



MICROFILMED

97-92-A



MICROFILMED

EXHIBIT 4

GRANT SUMMARY - FY 96

<u>Federal Grant Title</u>	<u>Federal I.D. No.</u>	<u>Grantor Agency</u>	<u>Balto. County</u>	<u>Direct Federal</u>	<u>Federal Pass</u>	<u>Other</u>	<u>Current Year</u>
<u>Lead-Based Paint Hazard</u>	<u>14.903</u>	<u>Department of Permits</u>	<u>Program</u>	<u>Receipts</u>	<u>Through</u>	<u>Income</u>	<u>Expenditures</u>
<u>Reduction Grant</u>		<u>and Development</u>	<u>005-017-1722</u>	<u>- 0 -</u>	<u>Receipts</u>	<u>- 0 -</u>	<u>\$54,725.00</u>
<u>W143001-8-94</u>		<u>Management</u>			<u>IND thru</u>		
					<u>IND</u>		
					<u>\$54,275.00</u>		



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP 97-97-A¹⁰¹**

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
STEMMERS RUN
BACK RIVER NECK

SHEET
N.E.
2-H
MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 9-6-96
Posted for: _____
Petitioner: _____
Location of property: 1209 East Homberg Ave
Location of Sign: Front Yard
Remarks: _____
Posted by: Mark G. Smith Date of return: _____
Number of Signs: _____

CASE NUMBER: 97-97-A (Item 101)
1209 East Homberg Avenue
E/S East Homberg Avenue, approximately 240' E c/l George Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): William D. Miles, Jr. and Grace L. Miles
Administrative Variance to allow an accessory structure to be located
in the side yard in lieu of the rear yard.

fast by
9-6-96
8



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-97-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 101 Petitioner: William D. & Grace L. Miles

Location: 1209 East Homberg Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: William & Grace Miles

ADDRESS: 1209 East Homberg Avenue

Baltimore Maryland 21201

PHONE NUMBER: 410 687 5511

Printed with Soybean Ink
on Recycled Paper

12



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-97-A (Item 101)
1209 East Homberg Avenue
E/S East Homberg Avenue, approximately 240' E c/l George Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): William D. Miles, Jr. and Grace L. Miles

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 8, 1996. The closing date (September 23, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

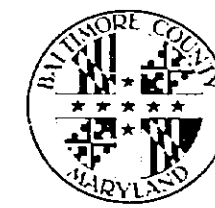
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: William D. Miles, Jr. and Grace L. Miles

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Mr. and Mrs. William Miles, Jr.
1209 East Homberg Avenue
Baltimore, MD 21221

RE: Item No.: 101
Case No.: 97-97-A
Petitioner: William Miles, et ux

Dear Mr. and Mrs. Miles:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: September 19, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 16, 1996
Item Nos. 094, 096, 097, 098, & 101

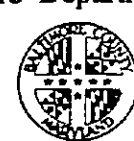
The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE26

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-3500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETINGS OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100, 101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 11, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 91, 94, 95, 96, 97, and 101

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL

11/191/PZONE/TXTJWL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
September 12, 1996

FROM: Robert A. Wirth *RAW/gp*
DEPRM

SUBJECT: Zoning Item #101 - Miles Property
1209 E. Homberg Avenue
Zoning Advisory Committee Meeting of September 9, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:KK:sp
MILES/DEPRM/TXISBP

97-97-A

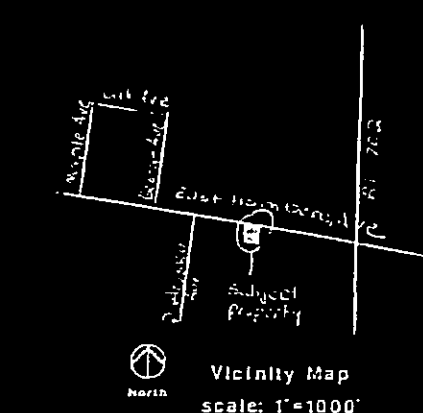
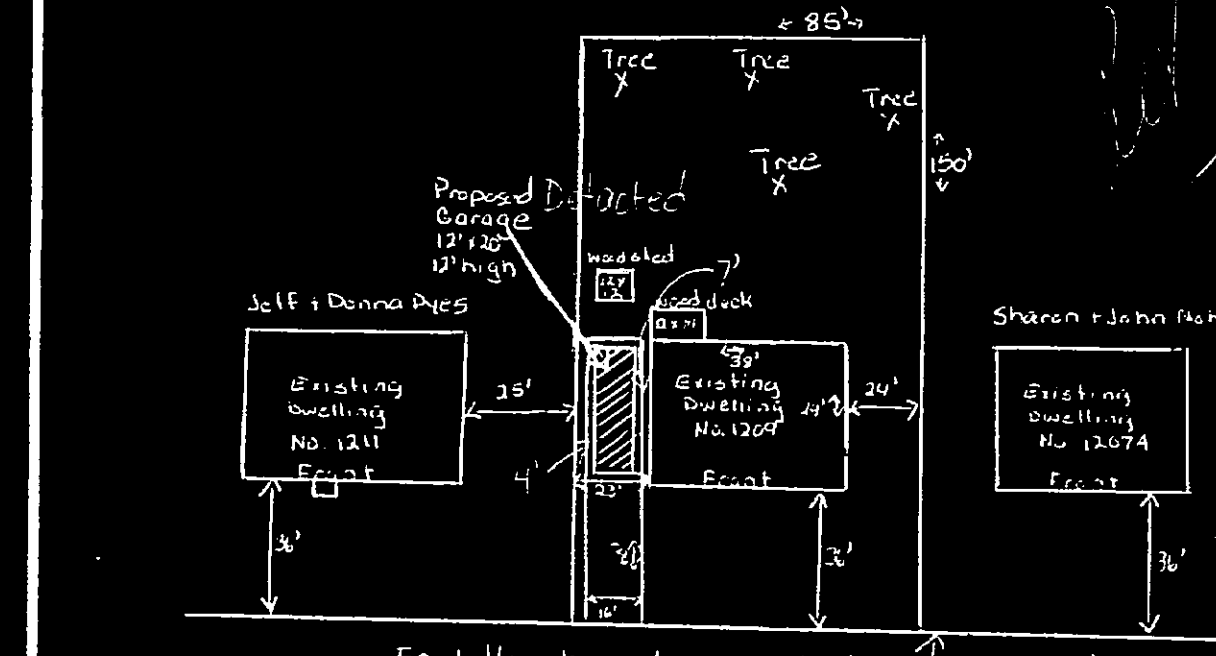
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1209 East Homberg Avenue

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name:
Plot book: *100* folio: *124*, date: *1996*, section: *1*
OWNER: *William D. + Grace K. Miles*

97-97-A



LOCATION INFORMATION

Election District: *15*

Councilmanic District: *7*

1"=200' scale maps: *N.E. 211*

Zoning: *R-1*

Lot size: *0.29* *12,750*
acres square feet

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: *None known*

Zoning Office USE ONLY:

reviewed by: *ITEM #1 CASE#1*

101



date: *9/10/96*

prepared by: *C. Miles*

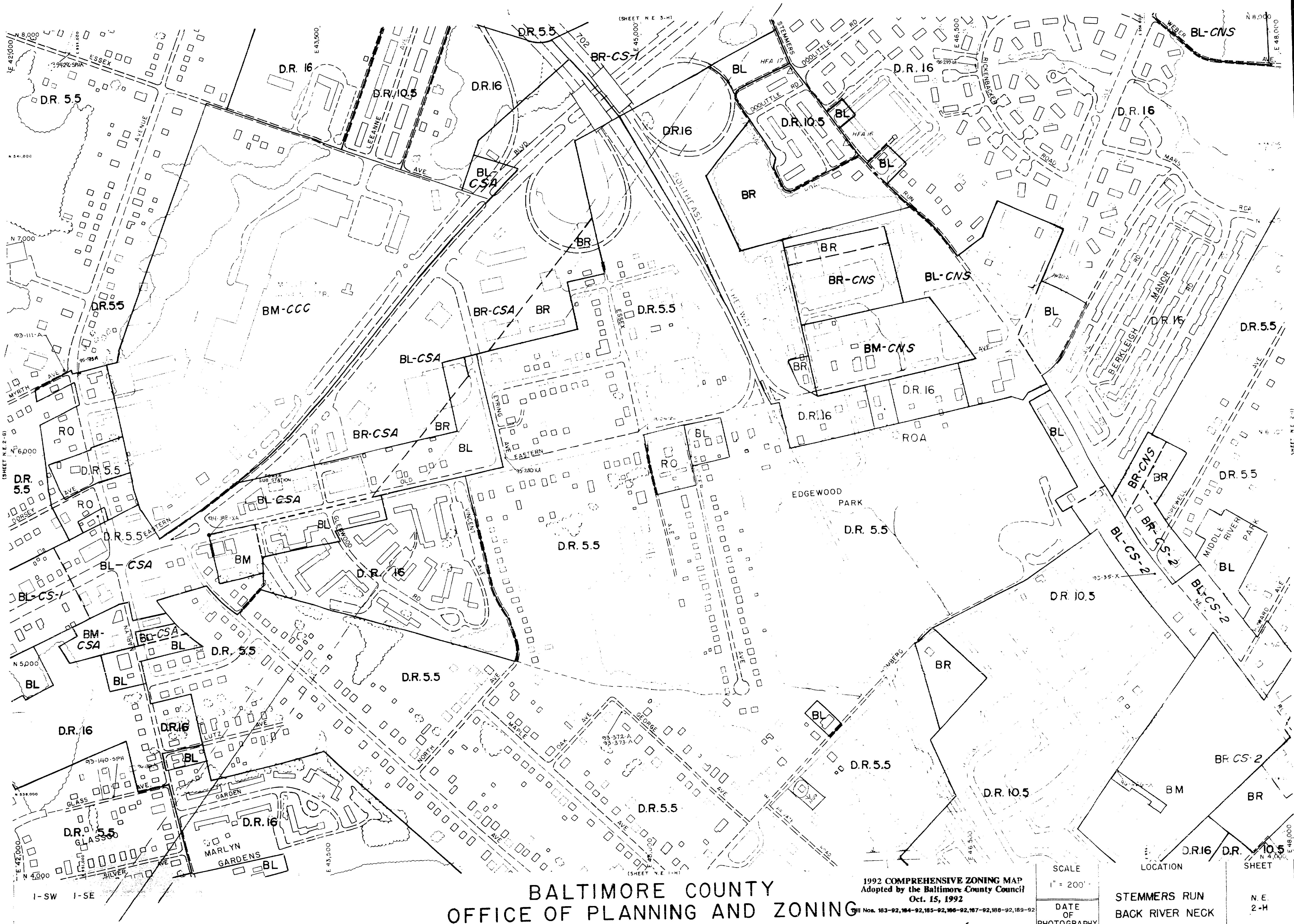
Scale of Drawing: 1"=50'

97-92-A



97-92-A





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill No. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION STEMMERS RUN BACK RIVER NECK	SHEET N.E. 2-H
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

97-97-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP 97-97-A¹⁰¹

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	STEMMERS RUN	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	BACK RIVER NECK	2-H